

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT  
OF PUERTO RICO

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In the Matter of the Complaint of:

CIVIL NO.: 2024-CV-01169 **ADC**

THIRD LADY LLC,

For the Exoneration from Limitation of Liability  
as owners, of the M/V Bonnie G

**ANSWER AND AFFIRMATIVE DEFENSES TO  
PLAINTIFF'S VERIFIED COMPLAINT**

**COMES NOW** Claimant, **VIRGIN ISLANDS WASTE MANAGEMENT**

**AUTHORITY** by their undersigned attorney, Florence Kahugu Esq., submits this Answer and Affirmative Defenses to Plaintiff's Verified Complaint- Petition for Exoneration form or Limitation of Liability (ECF No. 1).<sup>1</sup>, The Claimant respectfully shows to the Court as follows:

**I. JURISDICTION**

1. **AGREES** with paragraph 1 of the Verified Complaint.
2. **AGREES** with paragraph 2 of the Verified Complaint.

**II. PARTIES**

3. **AGREE** that as to the Plaintiff-Petitioner is THIRD LADY LLC but **DENY** the

<sup>1</sup> See attached Verified Complaint- Petition for Exoneration form or Limitation of Liability.

rest of the allegations contained in paragraph 3 of the Complaint for lack of sufficient information.

4. **DENY** the allegations contained in paragraph 4 of the Complaint for lack of sufficient information.

### **III. FACTS**

5. **DENY** the allegations contained in paragraph 5 of the Complaint for lack of sufficient information.
6. **DENY** the allegations contained in paragraph 6 of the Complaint for lack of sufficient information.
7. **AGREE** with the allegations contained in paragraph 7 of the Complaint for lack of sufficient information.
8. **DENY** the allegations contained in paragraph 8 of the Complaint for lack of sufficient information.
9. **DENY** the allegations contained in paragraph 9 of the Complaint for lack of sufficient information.
10. **DENY** the allegations contained in paragraph 10 of the Complaint for lack of sufficient information.
11. **DENY** the allegations contained in paragraph 11 of the Complaint for lack of sufficient information.
12. **DENY** the allegations contained in paragraph 12 of the Complaint for lack of sufficient information.
13. **DENY** the allegations contained in paragraph 13 of the Complaint for lack of sufficient information.
14. **DENY** the allegations contained in paragraph 14 of the Complaint for lack of sufficient information

15. **DENY** the allegations contained in paragraph 15 of the Complaint for lack of sufficient information.
16. **DENY** the allegations contained in paragraph 16 of the Complaint for lack of sufficient information.
17. **DENY** the allegations contained in paragraph 17 of the Complaint
18. **DENY** the allegations contained in paragraph 18 of the Complaint.
19. **AGREE** with the allegations contained in paragraph 19 of the Complaint.
20. **DENY** the allegations contained in paragraph 20 of the Complaint.
21. **DENY** the allegations contained in paragraph 21 of the Complaint.
22. **DENY** the allegations contained in paragraph 22 of the Complaint.

**IV. CAUSE OF ACTION AND RELIEF SOUGHT**

23. **DENY** the allegations contained in paragraph 23 of the Complaint.
24. **DENY** the allegations contained in paragraph 24 of the Complaint.
25. **DENY** the allegations contained in paragraph 25 of the Complaint
26. **DENY** the allegations contained in paragraph 26 of the Complaint.

**WHEREFORE** Defendants pray that this Honorable Court awards the **VIWMA all costs** and attorney fees associated with this litigation for being required to defend this action.

Date; September 27, 2024



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Florence Kahugu, Esq.  
Virgin Islands Waste Management Authority  
7410 Estate Bovoni Bay 2  
St. Thomas, VI 00802  
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*IN THE MATTER OF THE COMPLAINT: THIRD LADY LLC.  
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**STATEMENT UNDER PENALTY OF PERJURY**

Under Federal Rule of Civil Procedure 11, by signing below I, Akeem Charleswell, certify to the best of my knowledge, information, and belief that this answer:

1. Is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.
2. Is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law.
3. The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
4. The answer otherwise complies with the requirements of Rule 11.

Date: September 27, 2024




Akeem Charleswell  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 27th day of September 2024, I caused an exact copy of the foregoing "*Answer and Affirmative Defenses to Plaintiff's Verified Complaint*" to be served upon **Manuel Sosa**, Esq. Attorney for Third Lady LLC as owner of the M/V BONNIE G, 166 Avenida De la Constitucion, San Juan, PR 00901, by certified mail with return receipt, to said attorney at his stated address.

  
Yolonda Sanderson for Attorney Kahugu Esq.  
Paralegal for VIWMA  
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